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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of: NISHIUCHI, et al.

Serial No.: 09/977,363

Filed: October 16, 2001

Group Art Unit: 1742

Examiner: OLTMANS, Andrew L.

P.T.O. Confirmation No.: 4158

For: RARE EARTH METAL-BASED PERMANENT MAGNET, AND PROCESS FOR PRODUCING THE SAME

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 12, 2004

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated **August 11, 2003** of the Primary Examiner.

The item(s) checked below are appropriate:

1. ☒ A petition for a two- month extension of time to respond to the Final Rejection was filed on January 12, 2004.
2. ☒ A timely response to the Final Rejection has been filed, as provided in 37 C.F.R. 1.113.
3. ☒ Fee -\$330.00

- ☒ Enclosed
Not required (fee paid in prior appeal)
☒ Charge to Deposit Account No. 01-2340

In the event this Notice of Appeal is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this Notice.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP

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PATENT TRADEMARK OFFICE